



Order Filed on September 22, 2017  
by Clerk  
U.S. Bankruptcy Court  
District of New Jersey

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY

**Caption in Compliance with D.N.J. LBR 9004-1(b)**

Jeanette F. Frankenberg, Esq.  
Ashley L. Rose, Esq.  
Stern Lavinthal & Frankenberg LLC  
105 Eisenhower Parkway - Suite 302  
Roseland, NJ 07068  
Telephone Number (973) 797-1100  
Facsimile Number (973) 228-2679  
Attorneys for Secured Creditor,  
***Nationstar Mortgage LLC dba Mr. Cooper***

In Re:

**Hector J Mercado**  
Debtor(s)

Case No.: **14-20604-ABA**

Chapter: 13


Hearing: September 5, 2017

Judge: **Andrew B. Altenburg, Jr.**

**ORDER RESOLVING MOTION TO VACATE STAY**

The consent order set forth on the following pages, numbered two (2) through three (3),  
is hereby **ORDERED**.

**DATED: September 22, 2017**

  
\_\_\_\_\_  
Honorable Andrew B. Altenburg, Jr.  
United States Bankruptcy Court

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Debtor: **Hector J Mercado**

Case No: **14-20604-ABA**

Caption: Order Resolving Motion to Vacate Stay

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Applicant:	<u>Nationstar Mortgage LLC</u>
Applicant's Counsel:	<u>Stern Lavinthal &amp; Frankenberg, LLC</u>
Debtor's Counsel:	<u>Steven A. Silnutzer, Esq.</u>
Property Involved ("Collateral"):	<u>26 N. Vasser Square, Ventnor NJ 08206</u>

Relief sought:

- ✓ Motion for relief from the automatic stay
- Motion to dismiss
- Motion for prospective relief to prevent imposition of automatic stay against the collateral by debtor's future bankruptcy filings

For good cause shown, it is **ORDERED** that Applicant's Motion(s) is (are) resolved, subject to the following conditions:

1. Status of post-petition arrearages:

- The Debtor is overdue for 3 months, from June 1, 2017 to August 1, 2017.
- The Debtor is overdue for 3 payments at \$1,608.34 per month.
- Less Funds held in debtor(s) suspense \$1,338.36

Total Arrearages Due \$3,486.66

2. Debtor has filed a request to be accepted into the Court's Loss Mitigation program, and beginning September 1, 2017, debtor shall continue to tender adequate protection payments in the amount of \$1,608.34 while his application for Loss Mitigation is pending.
3. If a Loan Modification is not approved by January 1, 2018 (or other date extended by court order), Secured Creditor will promptly notify the trustee, with copy to Debtor's attorney, and within thirty (30) days of such notification, the Debtor shall 1) Cure all outstanding post-petition arrearages to Secured Creditor; 2) file a Modified Plan to surrender subject property; 3) file a Notice to Convert to a Chapter 7; or 4) file a Notice to Dismiss Case.
4. If the Debtor fails to achieve a Loan Modification as specified above and does not address the post-petition delinquency within thirty (30) days of the denial date, the Secured Creditor may obtain an Order Vacating the Automatic Stay as to the Collateral by filing, with the Bankruptcy Court, A Certification specifying the Debtor's failure to comply with this Order. At the time the Certification is filed with the court, a copy of the Certification shall be sent to the Chapter 13 Trustee, the Debtor, and the Debtor's attorney.

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Debtor: **Hector J Mercado**

Case No: **14-20604-ABA**

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5. This Order shall be incorporated in and become part of any Order Confirming Plan in the herein matter.
6. Award of Attorneys' Fees:
  - ✓ The Applicant is awarded attorney's fees of \$350.00, and costs of \$181.00. The fees and costs are payable through the Chapter 13 plan.

**Certificate of Notice Page 4 of 4**  
United States Bankruptcy Court  
District of New Jersey

In re:  
Hector J Mercado  
Debtor

Case No. 14-20604-ABA  
Chapter 13

**CERTIFICATE OF NOTICE**

District/off: 0312-1

User: admin  
Form ID: pdf903

Page 1 of 1  
Total Noticed: 1

Date Rcvd: Sep 22, 2017

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Sep 24, 2017.

db +Hector J Mercado, 28 N Vassar Square, Ventnor, NJ 08406-2418

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.  
NONE. TOTAL: 0

\*\*\*\*\* BYPASSED RECIPIENTS \*\*\*\*\*

NONE. TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Sep 24, 2017

Signature: /s/Joseph Speetjens

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**CM/ECF NOTICE OF ELECTRONIC FILING**

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on September 22, 2017 at the address(es) listed below:

Brian C. Nicholas on behalf of Creditor Nationstar Mortgage LLC bnicholas@kmlawgroup.com,  
bkgroup@kmlawgroup.com  
Charles G. Wohlrab on behalf of Creditor Nationstar Mortgage LLC cwohlab@logs.com,  
njbankruptcynotifications@logs.com  
Donna L. Wenzel on behalf of Trustee Isabel C. Balboa ecf@standingtrustee.com  
Isabel C. Balboa on behalf of Trustee Isabel C. Balboa ecfmail@standingtrustee.com,  
summarymail@standingtrustee.com  
Isabel C. Balboa ecfmail@standingtrustee.com, summarymail@standingtrustee.com  
Isabel C. Balboa (NA) on behalf of Trustee Isabel C. Balboa ecf@standingtrustee.com  
Jeanette F. Frankenberg on behalf of Creditor Nationstar Mortgage LLC cmecf@sternlav.com  
Rhondi L. Schwartz on behalf of Creditor Nationstar Mortgage LLC  
njbankruptcynotifications@logs.com  
Steven A. Silnutzer on behalf of Debtor Hector J Mercado stevenasil2000@yahoo.com,  
G28047@notify.cincompass.com

TOTAL: 9